

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jan 08, 2019

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

No. 15-CR-06049-EFS

Plaintiff,

v.

**ORDER REGARDING SPEEDY
TRIAL ACT TIME AND
REQUIRING PARTIES TO SUBMIT
BRIEFING**

ALEXIS JOEL GARCIA PALOMINO (4)
AND
MARCIAL BRAVO ZAMBRANO (20),
Defendants.

After reexamining the record, the Court is concerned as to whether Defendants Alexis Joel Garcia Palomino and Marcial Bravo Zambrano adequately waived their right to a speedy trial under the Speedy Trial Act, 18 U.S.C. § 3161. During the May 29, 2018 pretrial conference, the Court discussed the trial dates for Defendants Palomino and Marcial Zambrano,¹ who had recently been indicted and arraigned. *See* ECF Nos. 735 & 786. The Court asked counsel for Defendants to state their position regarding going to trial in October 2018 with the other codefendants. Defendant Zambrano was not in Court due to confusion from his recent arraignment

¹ The Court uses Mr. Zambrano's first name because he shares the last name of another codefendant.

1 and availability of transportation. Zachary Ayers, counsel for Defendant Marcial
2 Zambrano, stated his client would agree to the continuance that other counsel was
3 requesting. The Court clarified that no motion for a continuance was being
4 considered, rather, the Court was simply setting an initial trial date. Mr. Ayers
5 stated that his client anticipated a date in March 2019. The Court noted that if
6 Defendant Marcial Zambrano disagreed with the March 2019 date, another hearing
7 would be set to discuss further.

8 On May 30, 2018 the Court entered an Order Severing Defendants and
9 Directing Parties to Meet and Confer. ECF No. 802. The parties filed a Joint Status
10 Report on June 5, 2018. ECF No. 814. On June 14, 2018 the Court set the jury trial
11 for March 2019. ECF No. 820. In light of the record before the Court, **IT IS HEREBY**
12 **ORDERED:**

- 13 1. The Government and defense counsel for Defendants Alexis Joel Garcia
14 Palomino and Marcial Bravo Zambrano will file briefing as to whether
15 there is a speedy trial issue with the Court **by no later than January**
16 **22, 2019.**

17 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and
18 provide copies to counsel for the Government and Defendants Palomino and Marcial
19 Zambrano.

20 **DATED** this 7th day of January 7, 2019.

21
22 s/Edward F. Shea
EDWARD F. SHEA
Senior United States District Judge